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January 30, 2013

**Via ECF**

Honorable Faith S. Hochberg  
United States District Court  
District of New Jersey  
Post Office & Courthouse Building  
50 Walnut Street  
Newark, NJ 07101

Re: *Miguel A. de Jesus v. RBS/ABN AMRO Inc.*  
Civil Action No. 12-cv-04395

Dear Judge Hochberg:

This firm represents Defendant The Royal Bank of Scotland N.V. ("RBS") in the above-referenced matter. We write in connection with Plaintiff Miguel de Jesus' letter dated January 18, 2013 (Dkt. # 16), requesting that the Court "take into consideration" additional information and "paperwork" and "add[] [it] to [his] case." *Id.* Plaintiff apparently – although not explicitly – asks the Court to reopen the case it administratively terminated on December 17, 2012, pursuant to an Opinion and Order dismissing his Complaint for failing to state a claim upon which relief could be granted. (Dkt. # 15). For the reasons outlined below, RBS respectfully submits that the Court should decline to reopen the action.

As a preliminary matter, Plaintiff had 30 days from the date of this Court's order of dismissal, or until January 16, 2013, to move to reopen his case and attach to such motion a proposed amended complaint. The filing at issue, even if construed as a motion to reopen, is thus untimely. It also fails to comply with the Court's instructions to attach a proposed amended pleading.

Furthermore, Plaintiff's correspondence does not address any of the deficiencies of his initial Complaint. Indeed, it does little more than reiterate the very same facts and circumstances originally alleged by him. As this Court previously concluded, these allegations fail to allow RBS to identify what statute or right it purportedly violated; Plaintiff still does identify one. Simply put, even under the most liberal standard, this latest submission cannot set forth a cognizable cause of action or viable basis for relief.

Accordingly, there is no justification warranting the reopening of this action and RBS respectfully submits that the Court should deny any request to do so.

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Respectfully submitted,

/s/ John P. Barry

John P. Barry

cc: Miguel A. de Jesus (via UPS Next Day Air)